

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Lisa J. Prosser, Senior Deputy Clerk.

F038079 Solpac, Inc. v. City of Fresno; Mauldin-Dorfmeier Construction, Inc.

Parties stipulate that (1) Ardaiz, P.J., the absent assigned justice, participate in the determination of this appeal and (2) Ardaiz, P.J. to listen to the recording of oral proceedings upon his return.

Cause called and argued by Davide Golia, Esq., counsel for appellant Solpac, Inc. and by Steven G. Churchwell, Esq., counsel for respondent City of Fresno and by Val W. Saldana, Esq., counsel for real party Mauldin-Dorfmeier Construction, Inc.

Cause argued, submission deferred for parties to file supplemental letter briefs by October 28, 2002. Responses due November 12, 2002. Court will determine within 10 days of November 12, 2002 if further argument will be needed or cause to be submitted.

Court recessed until Monday, September 16, 2002 at 10:00 A.M.

F037739 People v. Moye

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F037739 People v. Moya

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039822 Murphy v. Lander Co. Inc.

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F037862 Duke v. Schultz

The court's January 30, 2001 order is reversed. The matter is remanded to the trial court with instructions to grant Robert's motion insofar as it would (1) set aside the part of the March 13, 1996 order (i.e., paragraph 4) directing him to pay \$800 per month to Hyon Sun for spousal support, and (2) relieve him of all responsibility to pay accrued spousal support arrearages, including interest. The court shall enter a new order to this effect, but one that is identical in all other material respects to the January 30, 2001 order. Costs are awarded to appellant. Buckley, Acting P.J.

We concur: Cornell, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040992 People v. Amos

F040997 People v. Amos

Appellant's motion to consolidate the above-entitled cases is granted.

F039472 Gilbert v. CA. Public Employees' Retirement System et al.

Pursuant to written stipulation of the parties hereto, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.